

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE CONTINENTAL INSURANCE
COMPANY, et al.,

Plaintiff,

v.

BOBBY WOLFORD TRUCKING &
SALVAGE, INC., et al.,

Defendant.

CASE NO. 2:21-cv-01341-TL

ORDER REGARDING SERVICE OF
COMPLAINT ON ABSENT DEFENDANT

The Federal Rules of Civil Procedure require a complaint to be served within ninety (90) days of its filing date. Fed. R. Civ. P. 4(m). The Joint Status Report (Dkt. No. 22) states “Defendant HWA Geosciences, Inc. [] recently indicated that it would waive service of process but it has not appeared in the lawsuit and has not answered the complaint.” From the waivers of service filed on the docket, it appears Plaintiff served the waivers on Defendants on or about October 8, 2021, and all Defendants but for Defendant HWA Geosciences, Inc. filed waivers of service in October 2021. (Dkt. Nos. 8–11.)

1 Given the representation in the Joint Status Report, the Court ORDERS the Plaintiff to
2 serve the complaint on Defendant HWA Geosciences, Inc. within **thirty (30) days** of this Order.
3 Should Plaintiff be required to institute formal service of process of the complaint due to a
4 continued failure of Defendant HWA Geosciences, Inc., to return the waiver of service, the Court
5 will entertain a motion by Plaintiff pursuant to Federal Rule of Civil Procedure 4(d)(2). Plaintiff
6 shall provide a copy of this order to Defendant HWA Geosciences, Inc., and provide them with
7 at least **ten (10) days** from the date of this Order to file a waiver of service before instituting
8 formal service of process.

9 IT IS SO ORDERED.

10 Dated this 7th day of February 2022.

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13 Tana Lin
14 United States District Judge
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